

RUSHVILLE CITY COMMON COUNCIL
MONDAY, AUGUST 4, 2008
6:00 P.M.

The Rushville City Common Council met on the above date and time at 270 W 15th Street, Rushville, Indiana. Mayor Bostic called the meeting to order at 6:00 p.m., with Allen Shelton, Darrin McGowan, Mike Buckley, William Goins, and Cindy Humphrey answering roll call. Also present were City Attorney, Ron Wilson, and Kevin Green and Melissa Conrad, *Rushville Republican*.

MINUTES * * * *

Minutes of the July 15, 2008 meeting were presented for approval. Goins made a motion to approve the minutes as presented. Buckley seconded the motion. Motion carried.

MAYOR'S REPORT * * * *

Bostic reported:

- Kevin Green introduced Melissa Conrad. Melissa will be covering City Council meetings for the newspaper.
- Brad Buening gave a short update from the ECDC. Buening said they are working diligently on the North Industrial Park and are trying to make it more appealing to prospective businesses. He said they are hoping to see some progress by the end of the year.
- SR 44 Project – Bostic said they have run into problems. The main sanitation sewer line needs to be replaced. He said the approximate cost to the City would be \$120,000.00.
- 16th Street Project – Surveys are continuing this year; next year they will be working on obtaining right-of-ways; will bid the project either at the end of 2009 or 2010.

CLERK-TREASURER'S REPORT * * * *

- Copley shared a thank you from the library for the use of the amphitheater.
- Passed out the budget advertisement that will be sent to the newspaper.
- Told Council that she would be scheduling a budget work session with H.J. Umbaugh to help them have a better understanding of the changes that have been made that will be affecting the City's budget.

COUNCIL PRESIDENT'S REPORT * * * *

Goins thanked Brad Buening for the update from the ECDC. He said there will be other organizations coming forward to give their updates.

DEPARTMENT HEAD REPORTS * * * *

Police – Assistant Police Chief Fish said with the construction, they have had several complaints regarding semi traffic. He stated that there is not a violation that they can be charged with at this time. Fish suggested an ordinance restricting heavy truck traffic in certain areas with a penalty.

Buckley said we need to do something or the streets are going to be torn up.

Bostic appointed Goins and McGowan to study this and bring a recommendation back to Council.

Street – Jemmy Miller said on behalf of the Street Department he wished to publicly thank Councilman Bill Goins for helping out after the recent storm. The Mayor also thanked the Street Department for a job well done.

CITIZEN CONCERNS * * * *

None.

UNFINISHED BUSINESS * * * *

Ordinance 2008-6 – Animals & Livestock Within the City Limits – McGowan made a motion to approve Ordinance 2008-6. Goins seconded the motion. Motion carried.

NEW BUSINESS * * * *

Transfer Resolution 2008-12 – Transferring Electric Liquidations Interest and Cum Cap Improvement Funds to the General Fund – Goins made a motion to approve Resolution 2008-12. Shelton seconded the motion. Motion carried.

Historic Board Appointments – Bostic announced the following residents as appointments to the Historic Board along with their terms:

<u>NAME</u>	<u>TERM</u>	<u>ADDRESS</u>	
• Louise Krick	2 year	1021 Sugar Hill Drive	*
• Gloria Moran	2 year	1216 N Willow	*
• John Gridley	3 year	329 W 10 th	*
• Joe Davis	1 year	602 N Main	
• Lisa Winship	3 year	820 N Harrison	

*** Denotes new appointment**

At this time Jim Houston (former Historic Board Member) charged forward and said, "As a point of law there was only one vacancy on the Board".

Mayor Bostic, using his gavel, informed Houston that he was out of order.

Humphrey asked of the 3 new appointments, which ones lived in the district.

Bostic said Gridley and Moran live in the district.

McGowan presented a map and stated that they did not live in the district and asked if they owned property in the district. McGowan said this was the map that he printed off line.

Bostic said he did not think this was the correct map. There was a new one adopted. Bostic said the map he was given runs to 14th Street over to Sexton.

Bostic asked Bill Todd, Area Plan Commission, if he knew the boundaries. Todd said he did not know the boundaries off the top of his head.

Houston came forward with a map. Once again Bostic asked him to sit down since he was out of order.

Bostic said if they were not in the District he would put two other people in, but at this time he would leave the decision up to Council for their approval.

Humphrey said she would like to see this tabled until we can find out if these people are eligible.

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Bostic said if this was tabled the Board would not be able to meet because there would only be 2 board members, thus there would not be a quorum.

Goins made a motion to approve the Historic Board Appointments. Shelton seconded the motion.

Houston then exclaimed, "The Mayor can not fire any member of the Historic Board!"

The Mayor told Houston, "You are out of order".

Houston said, "This is a point of law".

Bostic said, "It is not a point of law and you are out of order".

Houston said, "What does the word "shall" mean when it is used in legislation, Attorney Wilson?"

Bostic again informed Houston that he was out of order and there was a motion and a second on the table. Bostic called for a vote. Motion carried with a 3 -2 vote. McGowan and Humphrey voted "nay".

Houston said, "You do realize I will be making a report to the Attorney General. You are breaking the law."

Bostic said to Houston, "You are out of order. Sit down or be removed."

Claims – Shelton made a motion to approve the claims as presented. Goins seconded the motion. Motion carried. Buckley abstained from voting on the claims regarding his salary.

There was no further business to come before Council; Buckley made a motion to adjourn. Goins seconded the motion. The meeting adjourned at 6:30 p.m.

MERVYN R. BOSTIC, MAYOR

ALLEN W. SHELTON, MEMBER

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DARRIN L. MCGOWAN, MEMBER

MICHAEL BUCKLEY, MEMBER

WILLIAM R. GOINS, MEMBER

CINDRA K. HUMPHREY, MEMBER

ATTEST:

ANN L. COPLEY, CLERK-TREASURER